

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 10-00405 KG

ARMANDO MARRUFO,

Defendant.

ORDER DENYING MOTION TO UNSEAL CASE RECORDS

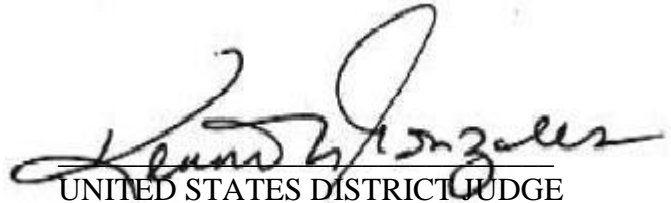
THIS MATTER is before the Court on Defendant Armando Marrufo's Motion to Unseal Case Records (Doc. 50). Marrufo requests that the Court "unseal any and all sealed documents in this case." There are no sealed documents in this case and, therefore, the Motion will be denied.

Fed. R. Crim. P. provides for redaction and sealing of certain filings containing protected information. See Fed. R. Crim. P. 49.1(a) and (d). The docket in this case shows that, on February 9, 2010, an Indictment of Marrufo was filed as Doc. 2. That document was redacted, but not sealed. The case was administratively unsealed on March 4, 2010. There were no sealed or redacted documents filed between February 9 and March 4, 2010, nor were any filed after March 4, 2010.

In addition to the administrative unsealing of the case, there are four "Court only" entries on the docket: a March 4, 2010, entry setting case management flags; a March 4, 2010, entry regarding judge assignment; a July 1, 2010, entry reflecting mailing of the July 1, 2010, Order releasing Maruffo for trial to the United States Marshall Service; and a October 14, 2010, entry administratively removing a pending motion case flag to terminate the motion. All of these

entries are clerical staff notes by the Court Clerk's office, all are text-only entries, and none have any accompanying documents. There are no sealed documents in this case, and none of the "Court only" entries could form the grounds for any collateral attack on Marrufo's conviction or sentence. Therefore, Marrufo's motion will be denied. *See Riker v. Fed. Bureau of Prisons*, 315 F. App'x 752 (10th Cir. 2009) (denying motion to unseal because information would not be useful for any collateral attack).

IT IS ORDERED that Defendant Armando Marrufo's Motion to Unseal Case Records (Doc. 50) is **DENIED**.



UNITED STATES DISTRICT JUDGE